

TO: Clerk's Office

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

APPLICATION FOR LEAVE
TO FILE DOCUMENT UNDER SEAL

UNITED STATES V. JASON ANTHONY

23-MJ-499

Docket Number

SUBMITTED BY: Plaintiff Defendant DOJ ☒

Name: Rebecca Schuman

Firm Name: DOJ-EDNY

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INDICATE UPON THE PUBLIC DOCKET SHEET: YES NO ☒

If yes, state description of document to be entered on docket sheet:



A) If pursuant to a prior Court Order:

Docket Number of Case in Which Entered: _____

Judge/Magistrate Judge: _____

Date Entered: _____

B) If a new application, the statute, regulation, or other legal basis that authorizes filing under seal

ongoing criminal investigation

ORDERED SEALED AND PLACED IN THE CLERK'S OFFICE,
AND MAY NOT BE UNSEALED UNLESS ORDERED BY
THE COURT.

DATED: Brooklyn, NEW YORK

5/24/2023 s/ James R. Cho

U.S. MAGISTRATE JUDGE

RECEIVED IN CLERK'S OFFICE _____ DATE

MANDATORY CERTIFICATION OF SERVICE:

A.) A copy of this application either has been or will be promptly served upon all parties to this action, B.) Service is excused by 31 U.S.C. 3730(b), or by the following other statute or regulation: _____; or C.) ☒ This is a criminal document submitted, and flight public safety, or security are significant concerns. (Check one)

5/24/23

DATE

SIGNATURE

Rebecca Schuman

KTF:RMS
F. #2023R00372

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

JASON ANTHONY,,
also known as
“Jason Pineiro,”

Defendant.

COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF ARREST WARRANT

Case No. 23-MJ-499

(18 U.S.C. §§ 2252(a)(1))

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EASTERN DISTRICT OF NEW YORK, SS:

THOMAS JACQUES, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

On or about December 4, 2022, within the Eastern District of New York and elsewhere, the defendant JASON ANTHONY, also known as “Jason Pineiro,” did knowingly transport visual depictions, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct and such visual depiction was of such conduct, using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce or which contains materials which have been mailed or so shipped or transported, by any means including by computer.

(Title 18, United States Code, Section 2252(a)(1)).

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I have been a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI") since December 2016. I am currently assigned to the Child Exploitation Investigations Team. During my tenure with HSI, I have participated in the investigation of cases involving crimes against children, including production, receipt, distribution, and possession of child pornography, i.e., images and videos of children, including infants and toddlers, being raped, molested and otherwise sexually exploited by adults or other children.

2. I have personally participated in the investigation of the offenses discussed below. I am familiar with the facts and circumstances of this investigation from my personal participation in the investigation, my review of documents, my training and experience, and discussions I have had with other law enforcement personnel concerning the creation, distribution and proliferation of child pornography.

3. In and around November 2022, HSI received information regarding a Viber account utilizing the name "Jason" who was suspected of sharing child pornography in a Viber chatroom.² Based, in part, on the telephone number associated with that account, HSI determined that the defendant JASON ANTHONY, also known as "Jason Pineiro," was the user of the "Jason" account and that ANTHONY resides in Brooklyn, New York.

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

² Viber is an encrypted mobile messaging application.

4. On or about March 6, 2023, HSI contacted the defendant JASON ANTHONY, also known as “Jason Pineiro,” and ANTHONY agreed to speak with the agents who identified themselves to him. During the voluntary interview, ANTHONY provided the following information, in sum and substance, and in part:

a. ANTHONY acknowledged that he used his cellular telephone (“Anthony’s iPhone”) to access Viber chatrooms in which child pornography was sold and exchanged, and also to receiving child pornography.

b. ANTHONY confirmed that his Viber account was still active but said that he frequently deleted child pornography shortly after receiving it.

c. When asked, ANTHONY confirmed that Anthony’s iPhone contained child pornography.

5. On or about March 6, 2023, HSI asked for and received written consent from the defendant JASON ANTHONY, also known as “Jason Pineiro,” to search Anthony’s iPhone. During that search, agents observed chatrooms in ANTHONY’s Viber and Telegram accounts with names referencing child pornography, including chatrooms with names along the lines of “All CP Videos,” “CP Sex Group,” and “Little Boy Pictures.”³ ANTHONY acknowledged during his voluntary interview with HSI agents that “CP” referred to child pornography. In those chatrooms, agents observed images containing child pornography that had been posted by users. Moreover, in the “Photos” application of Anthony’s iPhone, agents found a video depicting a male minor masturbating.

6. On or about March 23, 2023, HSI obtained a warrant, authorized by the Honorable James R. Cho, United States Magistrate Judge for the Eastern District of New York,

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Telegram is another encrypted mobile messaging application.

to search Anthony's iPhone. See 23-MJ-264.⁴ The subsequent review of Anthony's iPhone has revealed that the device contains child pornography, including but not limited to the below examples of infant and child sexual assault:

- a. A video approximately 17 seconds in length that depicts a penis being inserted into the mouth of an infant and ejaculating into the infant's mouth;
- b. A video approximately 2 minutes 57 seconds in length that depicts two prepubescent male minors engaging in anal sex;
- c. A video approximately 30 seconds in length that depicts an unknown male kneeling over a naked prepubescent male minor while the naked male touches his own penis; and
- d. A video is approximately 12 seconds in length that depicts an unknown male touching his penis while an infant lays in front of him and the unknown male then ejaculates onto the infant.

7. HSI also has confirmed at least four instances in which the defendant JASON ANTHONY, also known as "Jason Pineiro," sent child pornography to others, including an individual who identified as a minor. For example, on or about December 4, 2022, ANTHONY and a Facebook user who self-identified as a 13-year-old male engaged in a conversation via Facebook messenger, during which ANTHONY sent a video approximately 1 minute 9 seconds in length that depicts an unknown male inserting his penis into the anus of a prepubescent minor male victim whose mouth is covered with tape and whose eyes appear to be covered with a red mask.

⁴ Although ANTHONY provided written consent to search Anthony's iPhone, I sought judicial authorization to continue searching the device in an abundance of caution.

WHEREFORE, your deponent respectfully requests that the defendant JASON ANTHONY, also known as “Jason Pineiro,” be dealt with according to law.

Thomas Jacques

THOMAS JACQUES
Special Agent, United States Department of
Homeland Security, Homeland Security
Investigations

Sworn to before me via telephone this
24th day of May, 2023

s/ James R. Cho

THE HONORABLE JAMES R. CHO
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

United States of America

v.

JASON ANTHONY, also known as "Jason Pineiro"

Case No. 23-MJ-499

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
 (name of person to be arrested) JASON ANTHONY, also known as "Jason Pineiro",
 who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Transportation of material involving the sexual exploitation of minors

Date: 5/24/2023

s/ James R. Cho

*Issuing officer's signature*City and state: Brooklyn, NY

Hon. James R. Cho, U.S.M.J.

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____

*Arresting officer's signature**Printed name and title*

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of defendant/offender: JASON ANTHONY

Known aliases: Jason Pineiro

Last known residence: 510 ATLANTIC AVENUE, APT. 724, BROOKLYN, NY 11217

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: 06/19/1986

Social Security number: 062-72-2482

Height: _____ Weight: _____

Sex: M Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (*name, relation, address, phone number*): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: HSI

Name and telephone numbers (office and cell) of pretrial services or probation officer (*if applicable*): _____

Date of last contact with pretrial services or probation officer (*if applicable*): _____